

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

VIRTAMOVE, CORP.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:24-CV-00093-JRG
	§	(LEAD CASE)
HEWLETT PACKARD ENTERPRISE COMPANY,	§	
	§	
<i>Defendant.</i>	§	


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VIRTAMOVE, CORP.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:24-CV-00064-JRG
	§	(MEMBER CASE)
INTERNATIONAL BUSINESS MACHINES CORP.,	§	
	§	
<i>Defendant.</i>	§	

**ORDER**

Before the Court is Defendant IBM’s Rule 12(b)(6) Partial Motion to Dismiss (the “Motion to Dismiss”). (Member Case No. 2:24-cv-00064, Dkt. No. 15.) Since the filing of the Motion to Dismiss, Plaintiff has filed its First, Second, and Third Amended Complaints. (Lead Case No. 2:24-cv-00093, Dkt. No. 39, Dkt. No. 47, Dkt. No. 111.) It is well established that a later-filed amended complaint moots a motion asking the Court to dismiss an earlier-filed complaint. *See Griffin v. Am. Zurich Ins. Co.*, 697 F. App’x 793, 797 (5th Cir. 2017) (“Once filed, that amended complaint rendered all earlier motions ... moot.”); *see also Bishop Display Tech LLC v. Samsung Elecs. Co., Ltd.*, No. 2:21-cv-00139-JRG, Dkt. No. 40 (E.D. Tex. Oct. 4, 2021) (“Once Plaintiff filed its amended complaint, the Motion became moot.”). Accordingly, the Court finds that the Motions to Dismiss (Member Case No. 2:24-cv-00064, Dkt. No. 15) should be and hereby is **DENIED-AS-MOOT**.

**So ORDERED and SIGNED this 10th day of December, 2024.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE